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Introduced by Representatives Scheuermann of Stowe, Batchelor of Derby,
Briglin of Thetford, Browning of Arlington, Burditt of West
Rutland, Coffey of Guilford, Conquest of Newbury, Gamache
of Swanton, Hashim of Dummerston, Higley of Lowell, Jessup
of Middlesex, LaClair of Barre Town, Martel of Waterford,
McFaun of Barre Town, Morrissey of Bennington, Mrowicki of
Putney, Page of Newport City, Patt of Worcester, Savage of
Swanton, Smith of Derby, Strong of Albany, Szott of Barnard,
Troiano of Stannard, and Yacovone of Morristown

Referred to Committee on

Date:

Subject: Education; school district mergers; State Board of Education order to
merge; moratorium

Statement of purpose of bill as introduced: This bill proposes to place a
moratorium on school district mergers ordered by the State Board of Education
until legal issues are adjudicated.

An act relating to placing a moratorium on school district mergers ordered
by the State Board of Education

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. LITIGATION

3 On December 13, 2018, the Elmore-Morristown Unified Union School
4 District et al. filed a civil action against the Vermont State Board of Education,
5 and on December 20, 2018, the Athens School District et al. filed a civil action
6 against the Vermont State Board of Education et al., in Vermont Superior
7 Court, challenging the State Board of Education's order to merge school
8 districts under 2015 Acts and Resolves No. 46, as amended. These lawsuits
9 are referred to in this act as the "pending litigation."

10 Sec. 2. MORATORIUM ON SCHOOL DISTRICT MERGERS ORDERED

11 BY STATE BOARD OF EDUCATION

12 (a) Notwithstanding any provision to the contrary of 2010 Acts and
13 Resolves No. 153, 2012 Acts and Resolves No. 156, and 2015 Acts and
14 Resolves No. 46, each as amended, a moratorium is placed on all school
15 district mergers ordered by of the State Board of Education under 2015 Acts
16 and Resolves No. 46, Sec. 10, as amended, until the later of:

17 (1) July 1, 2020;

18 (2) the next July 1 after the judiciary has rendered final judgment that is
19 not appealed on all pending litigation; or

20 (3) the date that is six months after the judiciary has rendered final
21 judgment that is not appealed on all pending litigation.

1 (b) If the judiciary has rendered final judgment on all pending litigation
2 that is not appealed holding that the State Board's order has legal effect, then
3 the mergers ordered by the State Board that have not been invalidated by the
4 judiciary shall take effect, and for newly formed districts shall become
5 operational, on the date the moratorium ends under subsection (a) of this
6 section, and the default Articles of Agreement included with the State Board's
7 order to merge shall be deemed amended to accommodate this time frame.

8 Sec. 3. EFFECTIVE DATE

9 This act shall take effect on passage.